

FILED IN OPEN
COURT 6/21/05 KATC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE RAMIREZ-AVILLA,

Defendant.

:
:
:
:
:
:
:
:
:
:

Criminal Action No. 05-64-KAJ

MOTION FOR DETENTION HEARING

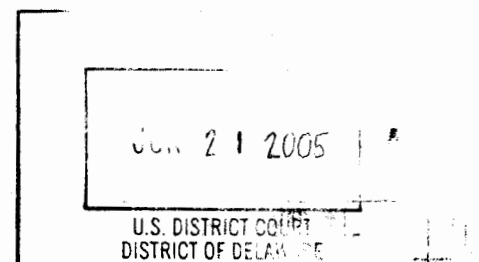
NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because the case involves (**check all that apply**):

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ 10+ year drug offense
- ☐ Felony, with two prior convictions in above categories
- ☒ Serious risk defendant will flee
- ☐ Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release that will reasonably assure (**check one or both**):

- ☒ Defendant's appearance as required



_____ Safety of any other person and the community

3. **Rebuttable Presumption.** The United States will not invoke the rebuttable presumption against defendant under § 3142(e). The presumption applies because (check one or both):

_____ Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

_____ Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the Court conduct the detention hearing:

_____ At first appearance

 X After continuance of 3 days

DATED this 21st day of June, 2005.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

BY:


April M. Byrd
Assistant United States Attorney

2006 JUN 21 11:01 AM
U.S. DISTRICT COURT
DISTRICT OF COLUMBIA